

## HARRIETT BOSWELL, GUARDIAN OF BETTY FISHER

---

MARCH 26 (legislative day, MARCH 5), 1942.—Ordered to be printed

---

Mr. ROSIER, from the Committee on Claims, submitted the following

## REPORT

[To accompany S. 2235]

The Committee on Claims, to whom was referred the bill (S. 2235) for the relief of Harriett Boswell, guardian of Betty Fisher, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

This bill provides for the payment of \$1,266.50 to Harriett Boswell, of Paducah, Ky., guardian of Betty Fisher, in full settlement of any claim of Harriett Boswell against the United States for personal injuries caused Betty Fisher on January 21, 1937, by the negligent operation of a truck owned by the United States Government and driven by one of the employees in the Soil Conservation Service, which was at the time using said truck.

In the Seventy-sixth Congress a bill for the relief of Harriett Boswell, guardian of Betty Fisher, was passed by Congress in the amount of \$2,500, but was vetoed by the President on the ground that the amount was excessive in view of the injuries sustained.

The Director of the Budget, under date of August 20, 1941, wrote Miss Boswell that his office would interpose no objection to the payment of \$1,266.50, which he states would be a reasonable amount.

The original report of your committee, the veto message of the President, and the letter of the Director of the Bureau of the Budget, are appended hereto and made a part of this report.

---

[S. Rept. No. 1032, 76th Cong., 1st sess.]

The Committee on Claims, to whom was referred the bill (S. 1024) for the relief of Harriett Boswell personally and Harriett Boswell, guardian to Betty Fisher, having considered the same, report favorably thereon with the recommendation that the bill do pass with the following amendments:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harriett Boswell, of Paducah, Kentucky, guardian of Betty Fisher, the sum of \$3,000, in

full settlement of any claim of Harriett Boswell, guardian of Betty Fisher, against the United States for personal injuries caused Betty Fisher on January 21, 1937, by the negligent operation of a truck owned by the United States Government and driven by one of the employees in the Soil Conservation Service which was at the time using said truck: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Amend the title of the bill so as to read: "A bill for the relief of Harriett Boswell, guardian of Betty Fisher."

The records of the Department of Agriculture show that on January 21, 1937, a collision occurred at a street intersection in Paducah, Ky., involving a Soil Conservation Service Chevrolet 1½-ton stake-bodied truck driven by Lester Bobo, a labor foreman employed by the Soil Conservation Service, and a 1929 Marmon Victoria coupe owned and operated by Miss Harriett Boswell, of Paducah, Ky., and that the proximate cause of the collision and the damage sustained by Miss Boswell and Miss Fisher was the negligence of the Government driver in failing to ascertain, before making a left-hand turn, that the way was clear and that such maneuver could be accomplished in safety without endangering the lives and property of others.

Miss Boswell suffered only property damage, which the Government has paid.

Miss Fisher, 18 years of age, who was a passenger in the car, was cut on the right arm and hand in three places, and her nose was injured. The medical testimony is that the wounds on the forearm and hand have healed, although the arm of Miss Fisher is scarred in three places, one scar on the forearm 4 inches long and two others near the base of the hand, or the palmar surface, each 1 inch long. The accident occurred at the beginning of the flood period in Paducah and it was several days before Miss Fisher could have her nose attended to. As a result she had a deflection of the nasal septum to the right side and there was a moderate depression of the bridge of the nose, giving considerable deformity in addition to a partial obstruction of the air passages. Her physician states that this condition can be removed through plastic surgery.

The Department recommends the enactment of the bill but is of the opinion that the \$5,000 asked for is excessive. In this opinion your committee concur. It is accordingly recommended that Miss Harriett Boswell, who was duly appointed guardian of Miss Betty Fisher on January 9, 1937, by County Judge Grady M. Stewart, of the McCracken County Court, State of Kentucky, be paid the sum of \$3,000, which would seem to be an adequate and equitable settlement of the claim.

The facts are fully set forth in the following correspondence, which is appended hereto and made a part of this report.

DEPARTMENT OF AGRICULTURE,  
Washington, May 27, 1939.

Hon. M. M. LOGAN,  
Chairman, Committee on Claims,  
United States Senate.

DEAR SENATOR LOGAN: This Department is now prepared to comply with your request of January 27, 1939, that there be furnished the committee all papers on file in the Department concerning the claims of Miss Harriett Boswell and Harriett Boswell, acting as guardian to Betty Fisher. There is submitted the complete file, including certain supplemental information which it was found necessary to obtain, together with an opinion as to the merit of S. 1024.

On date of January 21, 1937, a collision occurred at a street intersection in Paducah, Ky., involving a Soil Conservation Service Chevrolet 1½-ton stake-bodied truck driven by Mr. Lester Bobo, a labor foreman employed by the Soil Conservation Service, and a 1929 Marmon Victoria coupe owned and operated by Miss Harriett Boswell, of Blandville Road, Paducah, Ky. On date of March 23, 1937, Miss Boswell filed a claim under the act of December 28, 1922, seeking reimbursement in an amount of \$297 for property damage and \$16.50 for treatment to personal injuries which were sustained by her ward, Miss Betty Fisher. The claim was passed on to the office of the solicitor of the Department, after which the claim for property damage was considered. No consideration was given the

item for personal injury since the act of December 28, 1922, gives no jurisdiction over such matters, providing only for loss of, or damage to, private property.

On date of November 5, 1937, Mr. P. D. Cronin, acting for the solicitor of the Department, rendered an opinion as to the merit of the claim for property damage. It was held that the claim was allowable in part since the preponderance of the evidence indicated that the proximate cause of the collision and the damage sustained by Miss Boswell was the negligence of the Government driver in failing to ascertain, before making a left-hand turn, that the way was clear and that such maneuver could be accomplished in safety without endangering the lives or property of others; accordingly, on November 17, 1937, Miss Boswell was notified by the late Mr. W. R. Gregg, of this office, that the claim filed was allowable in the sum of \$25. The findings of the solicitor were quoted in the letter, which served to explain why the sum of \$25 only was being allowed. A copy of this letter is included in the file. Miss Boswell accepted the amount awarded, which was paid by certificate No. 0493123 after the amount had been appropriated by the Seventy-fifth Congress, third session, First Deficiency Appropriation Act, fiscal year 1938, approved March 5, 1938. This claim is reported in House Document 499, page 18. Inasmuch as Miss Boswell has already received \$25 for property damage incurred, and since a preponderance of the evidence established that she only sustained damages in that amount, no further consideration will be given the item of property damage.

Detailed information has been obtained concerning the injuries sustained by Miss Betty Fisher, 18 years of age. She was cut on the right arm and hand in three places, and her nose was injured. Dr. E. W. Jackson, of Paducah, Ky., was interviewed by Mr. Johnston E. Luton, administrative assistant employed by the Soil Conservation Service. The physician relates that there were three cuts on the arm, all of which have healed. The arm is scarred in three places, one scar on the forearm 4 inches long and two others near the base of the hand, or the palmar surface, each 1 inch long. The following is quoted from Dr. Jackson's certified statement: "The wounds on the forearm and hand healed and the larger one left a scar approximately 4 inches in length and one-half inch in width. The other scars are relatively small, being only about 1 inch in length. There was no disturbance in the function of the arm." In addition, Dr. Jackson has testified as to the condition of Miss Fisher's nose. Again we quote from his statement: "There was a slight swelling and she had a slight abrasion on the left side of the nose. The wounds on the forearm and hand were sutured and dressed and she was advised to return the next day and have her nose examined by a specialist to determine whether or not there was an injury to the septum, but this was at the beginning of the flood period, the next day the water was coming over town and following this for a number of days there was so much confusion she did not get her nose attended to. As a result she had a deflection of the nasal septum to the right side and there was a moderate depression of the bridge of the nose giving considerable deformity in addition to a partial obstruction of the air passages." Dr. Jackson referred Mr. Luton, the investigator, to Drs. Reynolds and Abell, but they were unable to furnish any definite information as to the extent of her injuries since no record had been kept of her case; however, Dr. H. D. Abell examined her injured nose on April 20, 1939, and has furnished a statement as to his findings, from which we quote: "Examination today showed some deviation and thickening of the nasal septum. The mucous membrane is bathed in mucus on both sides and there is a small ulcer of the mucous membrane over the septum anteriorly on the left side. There evidently has been a fracture of the nasal septum with dislocation anteriorly. This has resulted in a drooping in the bridge of the nose. This has caused quite a little deformity of the nose and from a cosmetic standpoint, unquestionably should be corrected. "This can be done only by a plastic surgeon. The cost of it probably will depend largely on the surgeon chosen to do the operation."

"I have advised them to take her to a plastic surgeon for his definite opinion." Certified statements have been obtained from persons who are acquainted with Miss Fisher. In general, they have set forth that they have known Miss Fisher for a number of years and that it is now apparent that her nose has been injured and that her appearance is impaired due to the flattening of her nose. They have added that the condition has developed since January of 1937, during which month the automobile accident occurred.

The sum of \$5,000 is proposed for appropriation in S. 1024 for reason of the personal injuries caused Miss Fisher as a result of the negligence of the Government employee in the operation of the Government-owned motortruck. Careful consideration has been given the matter of the proposed award. In our opinion



an award of \$5,000 would be excessive. After reading the statement of Dr. E. W. Jackson, who first treated Miss Fisher, it is felt that the present condition of her nose is due to her failure to take proper treatments for the injury. According to Miss Boswell, the sum of \$16.50 was expended for medical treatment. It is obvious that no attempt was made to correct the nasal deformity of Miss Fisher, nor was the advice of Dr. Jackson heeded. The reason given for the failure of Miss Fisher to submit to proper treatment was the calamity of the flood in the vicinity of Paducah, Ky., in the first part of the year 1937. No doubt had the proper treatment been taken the condition would have been avoided.

Dr. Abell, who on date of April 20, 1939, examined Miss Fisher, set forth that the condition could be removed through plastic surgery. He did not estimate the cost of such an operation for, as he explained, the cost would depend on the surgeon chosen to do the work. In all probability the charge would be proportionate to Miss Fisher's means. Dr. Abell recommended that she visit a plastic surgeon for a definite opinion; however, to date this has not been done.

It seems reasonable, therefore, to recommend that the contemplated award set forth in S. 1024, in an amount of \$5,000, be reduced. It is suggested that an amount sufficient to allow proper treatment of the ulcerous condition of the nasal septum be awarded, together with a sum which would enable Miss Fisher to have her nose restored to its normal condition through plastic surgery. An amount of \$600 would be sufficient to cover the treatment and plastic surgery—\$100 for the treatment and \$500 for the operation. For reason of the scars it is suggested that a sum of \$500 be awarded to cover the suffering caused by the injuries and the slight disfigurement to Miss Fisher's arm. It is probable, however, that as time goes on the scars will tend to be less noticeable. The medical expenses in an amount of \$16.50 should be allowed, notwithstanding the fact that there is no record of treatment given Miss Fisher at the Riverside Hospital.

As concerns an award for mental pain and suffering caused Miss Fisher as a result of her injuries, it is believed that the committee should take under consideration the fact that any mental pain or physical suffering that she may have endured since January 21, 1937, was, for the most part, due to her failure to take proper treatment; accordingly, we feel that the pecuniary responsibility of the Government is mitigated by this fact. It is thought that an award of \$500 would be adequate.

It is recommended that S. 1024 be enacted after removing therefrom the contemplated award for property damage to Miss Harriett Boswell in an amount of \$297 and reducing the proposed award in an amount of \$5,000, for reason of personal injuries sustained by Miss Fisher, to an approximate amount of \$1,616.50. This amount is rightfully payable to Miss Harriett Boswell, who was duly appointed guardian of Miss Betty Fisher on January 9, 1937, by County Judge Grady M. Stewart, of the McCracken County Court, State of Kentucky.

The bill should be amended so as to limit to 10 percent the fee paid to any attorney, or attorneys, representing Miss Boswell.

Very truly yours,

HARRY L. BROWN, *Acting Secretary.*

STATE OF KENTUCKY,  
County of McCracken:

Affiant, Harriett Boswell, states that on the 21st day of January 1937, she was the owner of a Marmon car; that about dusk on said date, viz: January 21, 1937, she was driving said car in a northerly direction on North Ninth Street in Paducah, McCracken County, Ky. At the intersection of Ninth and Jefferson Streets the traffic light was red and affiant stopped her car. It was about dusk and raining. The traffic light changed so that she could go forward on a green light. She drove her car into the intersection, intending to go across Jefferson Street and to continue north on Ninth Street. Before she had crossed the intersection a Soil Conservation truck of the United States Government drove rapidly into the intersection, turned left, apparently intending to go east on Jefferson Street, and ran into the front of affiant's car.

She states that as a direct result of this collision her car was damaged to the extent and amount of \$297. Affiant was bruised and shaken up. In the car with her was her niece, Betty Fisher, age 17. Her niece was thrown forward, her arm lacerated and cut, her face bruised and cut and her nose apparently broken and injured.

Mr. Edward O. Thompson, Jr., came to the assistance of affiant and her niece and took them to the hospital. On that date the waters of the Ohio River were

spreading over Paducah and because of the flood which followed, affiant's niece did not see her regular physician, Dr. Jackson, who attended her immediately after the injury, for the next 2 or 3 weeks.

Affiant is advised that the injury and disfigurement which has resulted to her niece is permanent unless she can undergo a delicate and costly operation by an expert plastic surgeon. She is advised that such an operation could not be performed locally; and that the cost of the operation and treatment to her niece would be not less than \$5,000; that the result of such an operation is not free from doubt; and that the damage and disfigurement, which directly resulted to her niece from the negligence of the driver of the Soil Conservation truck, is permanent.

Affiant is the statutory guardian for her said niece under appointment of the McCracken County court. A certified copy of the order showing her appointment as guardian is attached hereto.

HARRIETT BOSWELL.

Subscribed and sworn to before me by Harriett Boswell this the 7th day of June 1938.

[SEAL]

LENA E. SUDDETH,  
Notary Public, McCracken County, Ky.

My commission expires 10th day of July 1938.

STATE OF KENTUCKY—REGULAR TERM, 9TH DAY OF JANUARY 1937—McCRACKEN  
COUNTY COURT

Court met pursuant to adjournment, Hon. Brady M. Stewart, judge, presiding.

This day came Harriett Boswell and petitioned the court for letters of guardianship of the person and estate of Robert Fisher, age 15, Elizabeth Fisher, age 16, and Robert Fisher and Elizabeth Fisher being more than 14 years of age, did after privy examination nominate and request the court to appoint Harriett Boswell as guardian and the court being advised of said person's capability to discharge the duties of the trust required of guardians and suitability otherwise, she is by this order appointed as guardian of the person and estate of Robert Fisher, Elizabeth Fisher, and the bond of said fiduciary is fixed in the penal sum of \$2,000 for each child and Fidelity & Casualty Co. of New York being tendered as surety thereon and the court after duly investigating said surety both from the records and by privy examination under oath, being satisfied of its sufficiency, the same is approved and accepted.

Whereupon came said Harriett Boswell, together with the surety, and having made the bond, and taken the oath required by law to discharge the duties of the trust faithfully and otherwise perform all of the duties required of guardians in qualifying, it is adjudged that Harriett Boswell is the lawfully qualified and acting guardian of the persons and estate of Robert Fisher and Elizabeth Fisher.

This 9th day of January 1937.

BRADY M. STEWART, *County Judge.*

STATE OF KENTUCKY,

*County of McCracken, Sct.:*

I, Sarah Miller, clerk of the county court for the county and State aforesaid do certify that the foregoing is a true and correct copy of order appointing Harriett Boswell guardian of the persons and estates of Robert Fisher and Elizabeth Fisher as appears on record in my office in county court order book No. 5, page 575, McCracken County court clerk's office.

Given under my hand this 7th day of June 1938.

SARAH MILLER, *Clerk.*

By FLOSSIE CLARK, *Deputy Clerk.*

PADUCAH, KY., June 3, 1938.

*To Whom It May Concern:*

This is to certify that on January 21, 1937, about 6 p. m., I attended Betty Fisher, age 17, of Paducah, Ky., for injuries sustained in an accident with a Soil Conservation truck. She had a large ragged lacerated wound over the anterior surface of the lower extremity of the right forearm, extending on to the palmer surface of the hand. This wound extended through the skin with considerable

loss of tissue. At the present time she has good use of the arm and hand, but there is a scar approximately 4 inches in length and one-half inch in width. There was another wound on the palmar surface of the right hand and one on the middle third of the right forearm. These scars are approximately 1 inch in length.

In addition to these wounds her nose was bruised and had a slight abrasion on the left side. She was advised to return the next day and have her nose examined by a specialist but this was at the beginning of the flood period and for the next several days there was so much confusion, she did not get the nose attended to. As a result she has a deflection of the nasal septum to the right and the bridge of the nose has dropped giving considerable deformity of the nose in addition to a partial obstruction to the air passages.

Yours very truly,

E. W. JACKSON, M. D.

STATE OF KENTUCKY,

*County of McCracken:*

Affiant, Dr. E. W. Jackson, says that the statements contained in the foregoing certificate are true.

E. W. JACKSON, M. D.

Subscribed and sworn to before me by Dr. E. W. Jackson this the 3d day of June 1938.

EDNA BERRY,

*Notary Public, McCracken County, Ky.*

My commission expires the 7th day of October 1940.

STATE OF KENTUCKY,

*County of McCracken:*

Affiant, Edward O. Thompson, Jr., states that he resides at 1109 Jefferson Street, Paducah, Ky.; that his place of business is a grocery store and lunch-room and is located at 203 North Eighth Street in Paducah, Ky.

He states that on the 21st day of January 1937 he had started home from his place of business; that it was raining and about dusk the visibility was poor and the driving difficult. He drove from his place of business to the intersection of Ninth and Jefferson Streets at which point he was traveling west on Jefferson Street. Just before he got to the signal or traffic light at Ninth and Jefferson it turned red and he stopped. At this time a car was starting up across Jefferson Street going north. Affiant saw the car start and could see it was going straight across the intersection. The car was driven by Miss Harriett Boswell, and her niece, Betty Fisher, was in the car with her. When Miss Boswell's car started affiant also noticed a large truck on the other side of the intersection headed south. The truck started up quickly and turned to its left into Jefferson Street going east. In making this quick turn to the left it drove directly into Miss Boswell's car which had started north on Ninth Street. The truck did not stop in the middle of the intersection or give Miss Boswell's car an opportunity to pass. As the truck struck Miss Boswell's car affiant jumped out of his car and ran to the scene of the accident. There he found a United States Government Soil Conservation truck which had been driven into Miss Boswell's car. Affiant took Miss Boswell and her niece, Miss Fisher, to the Riverside Hospital.

Affiant's car was standing at the intersection and he had an opportunity to see both cars immediately before and at the time of the collision. He states that the car of Miss Boswell was moving slowly and that in his opinion she could have done nothing to avoid the collision; that the car of the United States Soil Conservation Department moved rapidly into the intersection and turned to the left suddenly and without warning into the path of and into the other car. Miss Boswell's car was badly damaged and Miss Fisher was apparently severely injured.

EDWARD O. THOMPSON, JR.

Subscribed and sworn to before me by Edward O. Thompson, Jr., this the 7th day of June 1938.

[SEAL]

LENA E. SUDDETH,

*Notary Public, McCracken County, Ky.*

My commission expires 10th day of July 1938.



STATE OF KENTUCKY,  
County of McCracken.

Affiant, Dorothy Thompson, states that she is the wife of Edward O. Thompson, Jr., that she was riding in the car with her husband on the 21st day of January 1937, when a Soil Conservation truck of the United States Government ran into the automobile of Miss Harriett Boswell at Ninth and Jefferson Streets in the city of Paducah, Ky.

She has read the affidavit of Edward O. Thompson, Jr., and she says that the statements contained therein are true.

DOROTHY THOMPSON.

Subscribed and sworn to before me by Dorothy Thompson this the 7th day of June 1938.

[SEAL]

LENA E. SUDDETH,  
Notary Public, McCracken County, Ky.

My commission expires the 10th day of July 1938.

STATE OF KENTUCKY,  
County of McCracken:

Affiant, Betty Fisher, states that on the 21st day of January 1937, she was riding with her aunt, Miss Harriett Boswell, in her aunt's Marmon car. Her aunt was driving north on North Ninth Street in Paducah, Ky., about dusk on that date. She stopped at a red light at the intersection of Ninth and Jefferson Streets and when the traffic light turned green she started her car and drove into the intersection, intending to cross it and continue north on Ninth Street.

As she was in the middle of the intersection a United States Soil Conservation truck, going in a southerly direction, turned suddenly and rapidly to the left, apparently intending to go east on Jefferson. The Soil Conservation truck drove suddenly and rapidly into the path of and against her aunt's car, throwing the affiant forward, severely cutting her arm, bruising and disfiguring her face and breaking and mashing her nose. She states that she was taken to the Riverside Hospital and there was treated by Dr. E. W. Jackson.

Because of the confusion resulting from the flood in Paducah, she was unable to see Dr. Jackson for 2 or 3 weeks thereafter but was treated from time to time by other physicians.

She states that as result of the accident her nose has been flattened and the septum has been deflected; and that apparently the condition is permanent.

BETTY FISHER.

Subscribed and sworn to before me by Betty Fisher this the 7th day of June 1938.

[SEAL]

LENA E. SUDDETH,  
Notary Public, McCracken County, Ky.

My commission expires July 10, 1938.

PADUCAH, KY., July 15, 1939.

Senator M. M. LOGAN,  
United States Senate, Washington, D. C.

DEAR SENATOR LOGAN: I received the copy of the report on S. 1024 which you so kindly sent me on May 29. You reported that the matter had been assigned to a subcommittee for appropriate action. I am wondering if the bill has as yet been passed.

There are some statements in the report that should be corrected. The one who made the report was misinformed when he stated that "the present condition of her (Miss Fisher's) nose is due to her failure to take proper treatments for the injury \* \* \* that no attempt was made to correct the nasal deformity of Miss Fisher, nor was the advice of Dr. Jackson heeded." The day after the accident the flood had spread over the city so that those who lived outside of the flood area, as did Miss Fisher, were not allowed, even if it had been possible, to return into the flooded district. Dr. Jackson remained within the city until all were evacuated. Miss Fisher did receive medical attention and the doctors who treated her in the emergency hospital did as much for her, undoubtedly as Dr. Jackson could have done, had it been possible for her to return to him. She had

Dr. Jackson in the beginning because he happened to be in the hospital at the time she was carried there immediately after the accident. We have no assurance that he could have done more for her than those who treated her later.

The report also stated that there is no record of treatment given Miss Fisher at the Riverside Hospital, therefore I am enclosing the receipt for this amount.

I appreciate what you have done in my behalf, and hope to hear favorably from you soon.

Very truly yours,

HARRIETT BOSWELL.

[S. Doc. No. 221, 76th Cong., 3d sess.]

HARRIETT BOSWELL—VETO MESSAGE

*To the United States Senate:*

I return herewith, without my approval, the bill S. 1024, for the relief of Harriett Boswell, guardian of Betty Fisher.

The bill provides payment to Harriett Boswell, guardian of Betty Fisher, of the sum of \$2,500 in settlement of any claim of the guardian against the United States for personal injuries to Betty Fisher on January 21, 1937, as the result of an accident in connection with the operation of the Soil Conservation Service of a United States Government truck.

The records available indicate that, as a result of the accident, Miss Fisher was cut on the right hand and forearm and that her nose was injured; that the cuts on her forearm and hand have healed and that while there is some slight deformity of her nose due to the injuries sustained, her physician indicates that this condition can be removed. Moreover, that the medical expenses incurred in connection with this injury were only \$16.50.

It appears, therefore, that the proposed payment of \$2,500 is excessive in view of the injuries sustained, for which reason I do not feel justified in approving the bill. I would not withhold my approval from a bill which would provide payment of an amount more commensurate with the injuries sustained in this case.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 18, 1940.

S. 1024

SEVENTY-SIXTH CONGRESS OF THE UNITED STATES OF AMERICA; AT THE THIRD SESSION, BEGUN AND HELD AT THE CITY OF WASHINGTON ON WEDNESDAY, THE THIRD DAY OF JANUARY, ONE THOUSAND NINE HUNDRED AND FORTY

AN ACT For the relief of Harriett Boswell, guardian of Betty Fisher

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harriett Boswell, of Paducah, Kentucky, guardian of Betty Fisher, the sum of \$2,500 in full settlement of any claim of Harriett Boswell, guardian of Betty Fisher, against the United States for personal injuries caused Betty Fisher on January 21, 1937, by the negligent operation of a truck owned by the United States Government and driven by one of the employees in the Soil Conservation Service, which was at the time using said truck: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

WM. B. BANKHEAD,  
*Speaker of the House of Representatives.*

JNO. N. GARNER,  
*Vice President of the United States and President of the Senate.*

[Endorsement on back of bill:]

I certify that this Act originated in the Senate.

EDW. A. HALSEY, *Secretary.*



EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D. C., Aug. 20, 1941.

Miss HARRIETT BOSWELL,  
*Librarian, Carnegie Public Library,  
Paducah, Ky.*

DEAR MADAM: Reference is made to previous correspondence regarding the bill S. 1024, for the relief of Harriett Boswell, guardian of Betty Fisher, from which the President withheld his approval on June 18, 1940, and to the recent examination made of Miss Fisher by the medical staff of the United States Marine Hospital at Evansville, Ind., for the purpose of obtaining more specific information as to the character of injury sustained by Miss Fisher and as to the reasonable expenditure that would be necessary for performing a plastic nasal operation.

This office is in receipt of a report from the medical officer in charge at the hospital in which he states that, "It is estimated that the cost of such an operation and necessary incidental expenses would not exceed \$750." The records available to this office show that medical expenses in the amount of \$16.50 were incurred at the time of and in connection with this inquiry. On this basis the total expenses involved would be \$766.50. It is believed that \$500.00 additional, or a total payment of \$1,266.50, would be reasonable, and this office would interpose no objection to such a proposal.

Very truly yours,

HAROLD D. SMITH, *Director.*

○

Report of the  
Commissioner of the  
General Land Office

1900

The following is a list of the lands owned by the United States in the State of California, as of January 1, 1900. The lands are classified according to their use, and are listed in alphabetical order of the county in which they are located. The total area of the lands is 1,100,000 acres.

U. S. DEPARTMENT OF AGRICULTURE

